

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ELLIS CHAPMAN,)	
)	
Petitioner,)	4:08CV3120
)	
v.)	
)	
STATE OF NEBRASKA,)	ORDER
)	
Respondent.)	
_____)	

Petitioner has filed a Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254](#) ([Filing No. 1](#)), an application to proceed *in forma pauperis* ([Filing No. 2](#)), and a copy of his institutional trust account statement ([Filing No. 3](#)).

Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering petitioner's financial status as shown in the records, provisional leave to proceed *in forma pauperis* will be granted, but petitioner must nevertheless pay the \$5.00 fee within sixty (60) days. The Court cautions the petitioner that failure to adequately comply with this order may result in dismissal of his petition without further notice.

IT IS ORDERED:

1. The application to proceed *in forma pauperis* ([Filing No. 2](#)) is provisionally granted, but petitioner shall pay the \$5.00 filing fee by August 18, 2008.

2. The clerk of the court is directed to set a pro se case management deadline in this case with the following text:
August 18, 2008: deadline for payment of \$5.00 filing fee.

DATED this 24th day of June, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court